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February 4, 2022

VIA ECF AND EMAIL: CronanNYSDChambers@nysd.uscourts.gov

Hon. John P. Cronan, United States District Judge
Southern District of New York
500 Pearl Street, Room 1320
New York, NY 10007

Re: Fratelli BVBA v. APM Music Services, LLC, et al., Case No. 1:20-CV-6208 JPC

Dear Judge Cronan:

In accordance ECF Rule §6, your Honor's Individual Practices Rule 4.B.ii., and Standing Order 19-MC-583, the undersigned hereby moves the Court for an order sealing the attached *in camera* submission pursuant to this Court's Memo Endorsement (ECF No. 111), which directed the undersigned to file an *in camera* submission in further support the undersigned's motion to withdraw as counsel for APM Music Services, LLC ("APM") (ECF No. 109), by today, Friday, February 4, 2022.

There is good cause to seal the *in camera* submission because it contains confidential information protected by the attorney-client privilege. Since these documents are submitted for *in camera* review, they should not be considered "judicial documents" subject to disclosure. *See United States v. Wolfson*, 55 F.3d 58, 61 (2d Cir. 1995) (*in camera* review of documents to make discovery ruling does not convert the documents into judicial documents). Also, the protection of documents subject to the attorney-client privilege is sufficient to defeat the presumption under the First Amendment of public access to documents submitted to the court. *See Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 125 (2d Cir. 2006).

In support of this Letter Motion, and consistent with your Honor's Individual Practices Rule 4.B.ii, I am submitting herewith my Declaration explaining the specific facts which support my motion to withdraw as counsel to APM and the reference to attorney-client privileged communications support this request to seal this submission.

Respectfully yours,

A handwritten signature in blue ink that reads "Kristen L. Zaehring".

Kristen L. Zaehring
Counsel for Defendants APM Music Services, LLC
and Maurice Keizer

Enclosure

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cc: Michael D. Steger, Esq. (counsel for Plaintiff), via email and ECF, w/o enclosure
Jay M. Coggan, Esq. (counsel for Defendant / Cross-Claim Plaintiff Glenn Stone), via
email and ECF, w/o enclosure

The request to seal is granted. Ms. Zaehring shall appear at a closed, *ex parte*
telephone conference on the matter on February 10, 2022 at 11:00 a.m. The
Court will provide the call-in information to Ms. Zaehring separately.

SO ORDERED.

Date: February 7, 2022

New York, New York



JOHN P. CRONAN

United States District Judge